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PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF HOME AFFAIRS

New Delhi, the 5th May 1965

G.S.R. 706.—In exercise of the powers conferred by section 3 of the Defence of India Act, 1962 (51 of 1962), the Central Government hereby makes the following rules further to amend the Defence of India Rules, 1962 (published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 1465, dated the 5th November, 1962), namely:—

1. These rules may be called the Defence of India (Second Amendment) Rules, 1965.

2. In the Defence of India Rules, 1962 (hereinafter referred to as the said rules) in clause (d) of sub-rule (1) of rule 30, for the words "within such time", the words "within such time, by such route, in such manner and in accordance with such other directions" shall be substituted.

3. In rule 30A of the said rules—

(i) in sub-rule (1), clause (b) shall be relettered as clause (e) and for clause (a) the following clauses shall be substituted, namely:—

(a) "Adviser" means the Adviser to the Governor;

(b) "detention order" means an order made under clause (b) of sub-rule (1) of rule 30;

(c) "Governor" means the Governor of Assam discharging functions under sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution as the agent of the President;

(d) "Political Officer" means the Political Officer of any Division or Area in the North-East Frontier Agency and includes the Additional Political Officer of such Division or Area;

(ii) after sub-rule (9), the following sub-rule shall be inserted, namely:—

"(9A) (a) A detention order made by a Political Officer empowered by the Central Government shall be reviewed by the Adviser.

(b) Where a detention order is made by a Political Officer, he shall forthwith report the fact to the Adviser.

(c) On the receipt of the report under clause (b), the Adviser shall, after taking into account all the circumstances of the case, recommend to the Governor that the detention order may be confirmed or cancelled and thereupon the Governor shall either confirm or cancel the order as he may deem fit in the light of the recommendation.

(d) Every detention order made by a Political Officer and confirmed by the Governor under clause (c), unless such order is cancelled in the meantime by the Governor, shall be reviewed by the Adviser at intervals of not more than six months and in the light of the recommendation of the Adviser, the Governor shall decide whether the order should be continued or cancelled";

(iii) in sub-rule (10), after clause (c), the following clause shall be inserted, namely:—

"(d) by the Governor, where the order has been made by a Political Officer empowered by the Central Government."

[No. F. 3/3/65-Poll(Spl).]

HARI SHARMA, Spl. Secy.

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